

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Sri Butchi Venkata Rao, Assistant Director, Fisheries (Retd.), Visakhapatnam - Disciplinary Case- 10% cut in pension imposed on permanent basis after regularizing the services from 14.6.1996 to this date - Orders - Issued.

ANIMAL HUSBANDRY DAIRY DEVELOPMENT & FISHERIES (VS) DEPARTMENT

G.O.Ms.No.41

Date: 5.6.2008.

Read the following: -

1. Govt.Memo.No.12813/Fish-I/94-1, dt:17.10.1994.
- 2.COF, A.P.Hyderabad Proceedings No.18328/A3/94, dt: 20.10.1994.
- 3.Hon'ble APAT Order, dt: 8.11.1994
- 4.Government Memo.No.12813 / Fish.I / 1994-6, dt: 28.1.1995
- 5.COF,Hyderabad Proceedings No.2150/A1/95,dt:31.1.95.
- 6.G.O.Ms.No.129, AH&F (F.I) Department, dt: 26.10.1995.
- 7.G.O.Ms.No.18,AHDD&F(Fish.I)Department,dt:11.3.2003
8. From the COF, Lr.No.11157/A1/2007, dt: 28.12.2007.
- 9.From the DG, ACB Lr.No.124/RCTWVP/1994-S11, dt:25.1.2008.

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ORDER:

Sri C.Butchi Venkata Rao, Assistant Director (Retd.), Fisheries Department, Visakhapatnam was trapped by ACB., on 19.9.1994 when he demanded and accepted a bribe of an amount of Rs.4,000/- for registration of a society known as " Bhogandamma Fisheries Seva Sangam" for the offences under Sections 7 and 13 (1) (d) read with Section 13 (2) of the Prevention of Corruption Act, 1988 and consequently the Commissioner of Fisheries was requested to suspend Sri Butchi Venkat Rao in the reference 1st read above. In the reference 2nd read above Sri Butchi Venkat Rao was suspended by Commissioner of Fisheries. Aggrieved by the above orders, Sri C.B.Venkat Rao, A.D. has filed O.A.No.6109/2004 against the suspension orders issued by the Commissioner of Fisheries. In the reference 3rd read above, the Andhra Pradesh Administrative Tribunal in its Order, dt: 8.11.1994 while disposing the OA has directed the Government to review the orders of the Commissioner of Fisheries and pass appropriate orders.

In the reference 4th read above, Government have directed the Commissioner of Fisheries to reinstate him into duty and post him to a place other than the post held by him earlier with the multi Zone-I under intimation to Government.

In the reference 5th read above, the Commissioner of Fisheries reinstated Sri C. Butchi Venkat Rao, A.D. into duty and posted him to Vizag as ADF (VW). Meanwhile he was retired on 29.2.1999 on attaining the age of superannuation.

In the reference 6th read above, prosecution sanction orders have been issued against Sri C.B.Venkat Rao and consequently he has been convicted for the offences punishable U/S 120 B IPC and U/S 7 and 13 (2) of the PC Act, 1988. Aggrieved by these orders, a criminal appeal was filed by him in A.P.High Court. The Andhra Pradesh High Court has set aside the orders of Special Judge. However, the Director-General, ACB., has recommended to file SLP in Supreme Court against the orders of High Court.

In the reference 7th read above, orders were issued to withhold the entire pension and gratuity of Sri C.B.Venkat Rao, permanently with immediate effect under rule 9 of the Andhra Pradesh Revised Pension Rules, 1980, after due consultation with A.P.P.S.C.

In the reference 8th read above, the Commissioner of Fisheries has requested the Government for issue of necessary orders in view of High Court Judgement, dt: 15.11.2007.

In the reference 9th read above, the Director-General, ACB has requested the Government for filing SLP against the orders of Andhra Pradesh High Court, dt: 15.11.2007, as it is a fit case for filing SLP.

The Government after careful examination of the matter hereby decided that instead of filing SLP in Supreme Court of India, a 10% cut be imposed on permanent basis on Sri C.B.Venkat Rao, Assistant Director of Fisheries (Retd), Visakhapatnam after regularizing the services from 14.6.1996 (date of suspension) to the date of retirement i.e. 29.2.1999.

The Commissioner of Fisheries is requested to take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

PRIYADARSHI DASH,
SPECIAL CHIEF SECRETARY TO GOVERNMENT.

To
The Commissioner of Fisheries,
Andhra Pradesh, Hyderabad.

Copy to:

The individual through
Commissioner of Fisheries, Hyderabad
The Accountant-General, Andhra Pradesh,
Hyderabad.
The District Treasury Officer,
Visakhapatnam.
The Secretary, APPSC., Hyderabad.
The Vigilance Commissioner,
APVC, Hyderabad.
SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER